

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF MISSOURI (St. Louis)**

In re:  
Wendi Bean  
Debtor.  
Prestige Financial Services, Inc.,  
Movant.  
v.  
Wendi Bean  
Debtor.  
and  
Diana S. Daugherty  
Trustee.  
)

) Case No. 21-40857-169  
) Chapter 13  
)  
) **Motion for Relief from Stay**  
) Filed by: Prestige Financial  
)  
) Hearing date: July 18, 2023  
) Hearing time: 10:00 a.m.  
) Hearing location: Courtroom 7S  
) Thomas F. Eagleton U.S. Courthouse  
) 111 South 10<sup>th</sup> St.  
) St. Louis, MO 63102  
)  
)  
)  
) Jill D. Olsen, EDMO #49835  
) 118 N. Conistor Ln, Suite B #290  
)  
) Liberty, MO 64068

**MOTION FOR RELIEF FROM STAY**  
**COMBINED WITH NOTICE OF HEARING**

**WARNING: THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY.**

**YOU MUST FILE AND SERVE YOUR RESPONSE BY JULY 11, 2023. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. THE DATE IS SET OUT ABOVE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.**

COMES NOW Prestige Financial Services, Inc., (hereinafter “Prestige”), by and through its attorney of record, and for its Motion for Relief from Stay respectfully states to the Court as follows:

1. Prestige brings this action under Title 11, Section 362, and Rule 4001 of the Bankruptcy Rules. This is a core proceeding.

2. Prestige is the holder for value of a Retail Installment Contract (“Contract”) executed by the Debtor on February 4, 2016, for the purchase of a 2013 Jaguar XF (VIN #SAJWA0ES9DPS98547) (the “Vehicle”). A true and correct copy of the Contract is attached as Exhibit “A.” Prestige has duly perfected its lien on said Vehicle and a copy of the Missouri Notice of Lien is attached as Exhibit “B.”

3. The Debtor filed this Chapter 13 bankruptcy on March 2, 2022. The Debtor purchased the Vehicle after the bankruptcy filing pursuant to an Order granting the Debtor’s Motion to Borrow on June 28, 2021 (Doc. #39). Since the purchase, the Debtor has been making payments directly to Prestige and not through the Chapter 13 trustee.

4. The total contractual amount due and owing as of the date of the filing of this motion is \$18,372.27. The account is delinquent in the sum of \$687.76, as the Debtor has failed to make the April 12, 2023, payment and all payments thereafter.

5. Pursuant to 11 U.S.C. §362(d)(1), Prestige is without adequate protection as the account is delinquent. The delinquency is cause the lift the automatic stay. The Vehicle is not necessary to an effective reorganization. The Debtor has contacted Prestige and indicated that she desires to surrender the Vehicle.

6. The releasing of the stay as to Prestige will not cause Debtor harm or hamper the rights of other creditors herein. If the Stay against Prestige is not released, Prestige will suffer immediate and irrevocable harm to its interest due to the depreciation and deterioration and waste of said property.

7. For the above and foregoing reasons, Movant asserts cause exists sufficient to waive the requirement of Bankruptcy Rule 4001(a)(3), therefore allowing an Order to be effective upon this Court’s signature.

WHEREFORE Prestige respectfully requests the Court to enter, among others, the following orders:

(a) An Order Lifting the Stay under Sec. 362 as to Prestige Financial Services, Inc. and allowing Prestige to repossess and sell the 2013 Jaguar XF (VIN #SAJWA0ES9DPS98547) and to enforce all rights to the same in accordance with the terms of the Contract and applicable state law;

- (b) For an order waiving the fourteen-day stay of Bankruptcy Rule 4001(a)(3); and
- (c) For such other orders as this Court deems just and proper.

Respectfully submitted,  
THE OLSEN LAW FIRM, LLC

/s/ Jill D. Olsen  
Jill D. Olsen MO #49835  
118 N. Conistor Ln, Suite B #290  
Liberty, MO 64068  
(816) 521-8811 Phone  
(816) 278-9493 Fax  
E-mail: [jill@olsenlawkc.com](mailto:jill@olsenlawkc.com)  
ATTORNEY FOR PRESTIGE  
FINANCIAL SVCS., INC.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on June 7, 2023, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to the parties listed below on June 7, 2023.

/s/ Jill D. Olsen  
Attorney of Record

Wendi Bean  
725 Northmoor  
Florissant, MO 63033  
DEBTOR